

FILED

DEC 01 2017

CLERK, U.S. BANKRUPTCY COURT
WEST DIST. OF PENNSYLVANIA

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:	:	Case No. 16-23160-GLT
	:	Chapter 11
PATRIOT ONE, INC.,	:	
	:	Related to Dkt. Nos. 148, 149
Debtor.	:	
	:	Hearing: 12/21/17

ORDER

This matter came before the Court as a continued confirmation hearing to consider approval of the Debtor's *Disclosure Statement to Accompany Plan dated June 22, 2017* [Dkt. No. 148] and *Plan of Reorganization dated June 22, 2017* [Dkt. No. 149]. The Internal Revenue Service ("I.R.S.") filed an objection [Dkt. No. 169] to confirmation.

After a hearing on November 30, 2017 and for the reasons stated on the record, it is hereby **ORDERED, ADJUDGED, and DECREED** that:

1. On or before **December 7, 2017**, the Debtor shall file an amended Schedule E/F reflecting the claim of NextWave Enterprise, LLC.
2. On or before **December 7, 2017**, the I.R.S. shall file a stipulation or consent order stating the amount of its claim as a class 4 creditor and clarifying its position with respect to whether it accepts or rejects the Debtor's plan of reorganization.
3. On or before **December 7, 2017**, the Debtor shall submit a proposed confirmation order.
4. The confirmation hearings on the Debtor's *Disclosure Statement to Accompany Plan dated June 22, 2017* [Dkt. No. 148] and *Plan of Reorganization dated June 22, 2017* [Dkt. No. 149] are continued to **December 21, 2017 at 10:00 a.m.** in Courtroom A, 54th

Floor, U.S. Steel Tower, 600 Grant St., Pittsburgh, Pa. 15219. If the parties timely comply with the items in ¶¶ 1–3, the Court will consider entering a confirmation order without further hearing.

A handwritten signature in black ink, appearing to read "Gregory L. Taddonio", with a stylized flourish extending to the right. Below the signature, the letters "gwf" are printed in a small, bold, sans-serif font.

Dated: December 1, 2017

GREGORY L. TADDONIO
UNITED STATES BANKRUPTCY JUDGE

Case administrator to mail to:

Debtor
Debtor's counsel
Mailing matrix
I.R.S.
U.S. Trustee

Imaged Certificate of Notice Page 3 of 5

United States Bankruptcy Court
Western District of PennsylvaniaIn re:
Patriot One, Inc.
DebtorCase No. 16-23160-GLT
Chapter 11**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: amaz
Form ID: pdf900Page 1 of 3
Total Noticed: 64

Date Rcvd: Dec 01, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 03, 2017.

db +Patriot One, Inc., 35 Carson Street, Belle Vernon, PA 15012-1001
 aty +David L. Fuchs, 960 Penn Avenue, Suite 1200, Pittsburgh, PA 15222-3826
 cr +Best Line Equipment, 2582 Gateway Drive, State College, PA 16801-3019
 cr +Cintas Corporation, c/o Katie R. Jacobs, Cohen & Grigsby, P.C., 625 Liberty Avenue,
 Pittsburgh, PA 15222, UNITED STATES 15222-3152
 sp +Kraemer, Manes & Associates LLC, Attn: David Manes, US Steel Tower,
 600 Grant Street, Suite 660, Pittsburgh, PA 15219-2703
 cr +United States of America Department of the Treasur, c/oOffice of U.S. Atty for W.D. of PA,
 U.S. Post Office & Courthouse, 700 Grant Street, Pittsburgh, PA 15219,
 U.S.A. 15219-1906
 acc +Wilke & Associates, LLP, 1721 Cochran Road, Suite 200, Pittsburgh, PA 15220-1002
 14280323 +A&H Equipment, 1124 McLaughlin Run Road, Bridgeville, PA 15017-2550
 14280325 +AIG, USG Insurance Services Inc., 1000 Town Center Way, Suite 300,
 Canonsburg, PA 15317-5847
 14280324 +Advanced Builders Inc., PO Box 684, Perryopolis, PA 15473-0684
 14344885 +Aetna, Inc., ATTN: Andrew F. Lopez, Esq., 201 N. Tryon Street, Suite 3000,
 Charlotte, NC 28202-2146
 14280326 +Beacon Supply Company, Inc., P.O. Box 188, Belle Vernon, PA 15012-0188
 14280327 +Belmont Aggregates, P.O. Box 349, Bridgeport, OH 43912-0349
 14280328 +Beth's Barricades, 1623 Middle Road Ext., Gibsonia, PA 15044-7913
 14280330 +Bobcat of Pittsburgh, 20620 Route 19 North, Cranberry Twp, PA 16066-6001
 14280331 CAT Financial, P.O. Box 978595, Dallas, TX 75397-8595
 14304185 Capital One Bank (USA), N.A., PO Box 71083, Charlotte, NC 28272-1083
 14280332 +Cintas, 320 Westec Drive, Mount Pleasant, PA 15666-2762
 14353192 Cintas Corporation, c/o Katie Jacobs, Esq., Cohen & Grigsby PC, 625 Liberty Avenue,
 Pittsburgh, PA 15222-3152
 14287069 +Citizens Bank N.A., 1 Citizens Drive Mailstop ROP15B, Riverside, RI 02915-3019
 14280336 Coventry Health / Health America, Transworld Systems Inc., P.O. Box 15095,
 Wilmington, DE 19850-5095
 14280337 +Culverts, 330 Pittsburgh Avenue, Coraopolis, PA 15108-3391
 14280338 Emory Rothenbuhler & Sons, Inc., 47216 Sunfish Creel Road, Beallsville, OH 43716
 14280339 Enterprize, 4489 Campbells Run Road, Pittsburgh, PA 15205-1311
 14280340 +Equipment Connection, P.O. Box 283, Pricedale, PA 15072-0283
 14280341 +Farnham & Pfile, 4306 State Route 51 South, Belle Vernon, PA 15012-3533
 14280342 +Fayette Parts NAPA, 600 Market Street, Brownsville, PA 15417-1758
 14330270 +Fayette Parts Service Inc., c/o NAPA Auto Parts, 1102 Jefferson St.,
 Latrobe, PA 15650-1910
 14297479 +Ford Motor Credit, P.O. Box 542000, Omaha, NE 68154-8000
 14375032 +GOLDEN EAGLE CONSTRUCTION COMPANY, C/O THOMAS W.SHAFFER, ESQ., 11 PITTSBURGH STREET,
 UNIONTOWN, PA 15401-3312
 14280343 +Golden Eagle, P.O. Box 945, Uniontown, PA 15401-0945
 14280344 Groff Tractor, 963 N. Center Avenue, New Stanton, PA 15672
 14331465 +Groff Tractor & Equipment, Inc., 6779 Carlisle Pike, Mechanicsburg, PA 17050-1712
 14280345 +John D. Caruso Inc., 1029 Forest Ave., Homestead, PA 15120-1118
 14336746 +John D. Caruso, Inc., 1029 Forest Avenue, West Homestead, PA 15120-1118
 14280346 +John Deere / Murphy Tractor, Power Plan, P.O. Box 5328, 8402 Excelsior Drive,
 Madison, WI 53717-1909
 14280347 John Deere Credit, 6400 NW 86th Street, PO Box 6600, Johnston, IA 50131-6600
 14280348 +Laurel Aggregates of Delaware, LLC, 270 Lakewood Center, Morgantown, WV 26508-4457
 14297481 Lexus Financial, P.O. Box 3025, Coraopolis, PA 15108
 14280349 +McCutcheon Enterprises Inc., 250 Park Road, Apollo, PA 15613-8730
 14280350 +Model Uniforms, 100 Third Street, Charleroi, PA 15022-1424
 14280351 +National Road, 197 Alter Road, Natrona Heights, PA 15065-2809
 14280352 +Neiswonger Construction, 17592 Route 322, Strattanville, PA 16258-2620
 14297482 +Next Wave Enterprises LLC, 5757 Blue Lagoon Drive, Suite 170, Miami, FL 33126-2615
 14686394 +Patriot One, Inc. Health Plan, c/o U.S. Department of Labor-EBSA,
 170 S. Independence Mall West, Suite 870W, Philadelphia, PA 19106-3381
 14297483 +Pearl Beta Funding, 100 William Street, Ninth Floor, New York, NY 10038-5056
 14280353 +Penn Credit, EZ Pass Violations, 916 S. 14th Street, Harrisburg, PA 17104-3425
 14319857 +Pennsylvania State Workers' Insurance, 100 Lackawanna Ave., Scanton, PA 18503-1904
 14280354 #+Pierre Luti Advertising, 79 Kendrick Avenue, Donora, PA 15033-1421
 14280355 +RECO Equipment Inc., 20620 Route 19 North, Cranberry Twp, PA 16066-6001
 14280357 +SITECH Allegheny, 200 Bursca Drive, #205, Bridgeville, PA 15017-1453
 14280359 +SWIF, P. O. Box 5100, 100 Lackawanna Avenue, Scranton, PA 18503-1945
 14280358 +Swank Construction Company, 632 Hunt Valley Road, New Kensington PA 15068-7067
 14294856 +Toyota Lease Trust, c/o Toyota Motor Credit Corporation, PO Box 9013,
 Addison, Texas 75001-9013
 14280360 +Valley Tire Company, 1002 Arentzen Boulevard, Charleroi, PA 15022-1003
 14280361 Wells Fargo, P.O. Box 25341, Santa Ana, CA 92799-5341
 14297484 +Yellowstone Capital, 1 Evertrust Plaza, 14th Floor, Jersey City, NJ 07302-3088

District/off: 0315-2

User: amaz
Form ID: pdf900

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Total Noticed: 64

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Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
cr +E-mail/Text: kburkley@bernsteinlaw.com Dec 02 2017 01:38:36 Deere Credit Inc.,
c/o Bernstein-Burkley, P.C., 707 Grant Street, Suite 2200, Gulf Tower,
Pittsburgh, PA 15219-1908
14280322 E-mail/Text: 43rdstreetconcrete@comcast.net Dec 02 2017 01:38:08 43rd Street Concrete,
1 43rd Street, Pittsburgh, PA 15201-3194
14280335 E-mail/Text: arichards@argogroupus.com Dec 02 2017 01:38:29
Colony Specialty Insurance Company, 8720 Stony Point Parkway #300, Richmond, VA 23235
14280333 +E-mail/Text: jstillier@clevelandbrothers.com Dec 02 2017 01:38:06
Cleveland Brothers Equipment Co., 4565 William Penn Highway, Murrys ville, PA 15668-2016
14302522 E-mail/Text: cio.bncmail@irs.gov Dec 02 2017 01:38:03 Internal Revenue Service,
PO Box 21126, Philadelphia, PA 19114
14280356 +E-mail/Text: jennifer_morris@ryder.com Dec 02 2017 01:38:02 Ryder Transportation,
PO Box 96723, Chicago, IL 60693-6723
14344846 +E-mail/Text: jennifer_morris@ryder.com Dec 02 2017 01:38:02 Ryder Truck Rental, Inc.,
ATTN: Jennifer Morris, 6000 Windward Parkway, Alpharetta, GA 30005-8882
TOTAL: 7

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Industrial Commercial Residential Equipment Rental
cr Reco Equipment, Inc.
cr Toyota Lease Trust
14356665 Caterpillar Financial Commercial Account Corporati
cr* +Cleveland Brothers Equipment Co., Inc., 4565 William Penn Highway,
Murrys ville, PA 15668-2016
cr* +Groff Tractor & Equipment, Inc., 6779 Carlisle Pike, Mechanicsburg, PA 17050-1712
cr* +John D. Caruso, Inc., 1029 Forest Avenue, West Homestead, PA 15120-1118
14356496* +A&H Equipment Company, 1124 McLaughlin Run Road, Bridgeville PA 15017-2550
14297480* +ARGO GROUP US INC, PO BOX 469011, SAN ANTONIO TX 78246-9011
(address filed with court: Colony Specialty Insurance Company, 8720 Stony Point Parkway #300,
Richmond, VA 23235)
14326356* +Cleveland Brothers Equipment Co., Inc., 4565 William Penn Highway,
Murrys ville, PA 15668-2016
14280329 ##+Black Diamond Equipment Rental, 4100 Morgantown Industrial Park, Morgantown, WV 26501-2419
14280334 ##+Coen Oil Company, 1045 W. Chestnut Street, Washington, PA 15301-4650
TOTALS: 4, * 6, ## 2

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.
While the notice was still deliverable, the notice recipient was advised to update its address with the court
immediately.

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices
will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The
debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner
shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social
Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required
by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Dec 03, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)
system on December 1, 2017 at the address(es) listed below:

Andrew R. Thalman on behalf of Creditor Reco Equipment, Inc. andrewthalman@pgka.com
Daniel R. Schimizzi on behalf of Creditor Deere Credit Inc. dschimizzi@bernsteinlaw.com,
cwirick@bernsteinlaw.com/pghecf@bernsteinlaw.com/dschimizzi@ecf.courtdrive.com/cwirick@ecf.court
rive.com

District/off: 0315-2

User: amaz
Form ID: pdf900

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The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system (continued)

Donald L. Phillips on behalf of Creditor Cleveland Brothers Equipment Co., Inc.
dphillips@donaldphillipslaw.com, ashapiro@donaldphillipslaw.com
Donald L. Phillips on behalf of Plaintiff Cleveland Brothers Equipment Co., Inc.
dphillips@donaldphillipslaw.com, ashapiro@donaldphillipslaw.com
Francis E. Corbett on behalf of Creditor John D. Caruso, Inc. fcorbett@fcorbettlaw.com,
fcorbett7@gmail.com
Francis E. Corbett on behalf of Creditor John D. Carson, Inc. fcorbett@fcorbettlaw.com,
fcorbett7@gmail.com
Holly S Planinsic on behalf of Creditor Industrial Commercial Residential Equipment Rental &
Supply, LLC hplaninsic@hmhy.com, kburkhart@hmhy.com
James Warmbrodt on behalf of Creditor Toyota Lease Trust bkgroup@kmlawgroup.com
Jason M. Plakosh on behalf of Creditor Groff Tractor & Equipment, Inc. jplakosh@hotmail.com
Jill Locnikar on behalf of Creditor United States of America Department of the Treasury,
Internal Revenue Service jill.locnikar@usdoj.gov,
patricia.fitzgerald@usdoj.gov;deborah.verrilla@usdoj.gov;caseview.ecf@usdoj.gov
Joseph S. Sisca, on Behalf of the United States Trustee by on behalf of U.S. Trustee Office
of the United States Trustee joseph.s.sisca@usdoj.gov
Katie R. Jacobs on behalf of Creditor Cintas Corporation kjacobs@cohenlaw.com,
morlich@cohenlaw.com,mgraeb@cohenlaw.com
Keri P. Ebeck on behalf of Creditor Citizens Bank, N.A. kebeck@weltman.com,
jbluemle@weltman.com
Michael Kaminski on behalf of Creditor Best Line Equipment mkaminski@c-vlaw.com,
jadam@c-vlaw.com;kmosur@c-vlaw.com;bhassain@c-vlaw.com;ssimmons@c-vlaw.com
Office of the United States Trustee ustpreregion03.pi.ecf@usdoj.gov
Robert O Lampl on behalf of Creditor Industrial Commercial Residential Equipment Rental &
Supply, LLC rol@lampllaw.com,
jschemm@lampllaw.com;jlacher@lampllaw.com;dfuchs@lampllaw.com;eslagle@lampllaw.com;neish51@gmail.
com;jcooney@lampllaw.com;rcooney@lampllaw.com;slampl@lampllaw.com;RossLampl@lampllaw.com
Robert O Lampl on behalf of Debtor Patriot One, Inc. rol@lampllaw.com,
jschemm@lampllaw.com;jlacher@lampllaw.com;dfuchs@lampllaw.com;eslagle@lampllaw.com;neish51@gmail.
com;jcooney@lampllaw.com;rcooney@lampllaw.com;slampl@lampllaw.com;RossLampl@lampllaw.com
Robert O Lampl on behalf of Defendant Patriot One, Inc. rol@lampllaw.com,
jschemm@lampllaw.com;jlacher@lampllaw.com;dfuchs@lampllaw.com;eslagle@lampllaw.com;neish51@gmail.
com;jcooney@lampllaw.com;rcooney@lampllaw.com;slampl@lampllaw.com;RossLampl@lampllaw.com
Robert O Lampl on behalf of Debtor David W. Yurkovich rol@lampllaw.com,
jschemm@lampllaw.com;jlacher@lampllaw.com;dfuchs@lampllaw.com;eslagle@lampllaw.com;neish51@gmail.
com;jcooney@lampllaw.com;rcooney@lampllaw.com;slampl@lampllaw.com;RossLampl@lampllaw.com

TOTAL: 19